

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: PACER FEE EXEMPTIONS for	)	
DUQUESNE UNIVERSITY	)	
PRACTITIONER IN RESIDENCE AND	)	Misc. No. 09-239
DUQUESNE UNIVERSITY STUDENTS	)	
<i>Journalism 471/571, Spring Semester 2025</i>	)	
	)	

**ORDER**

This matter is before the Court upon the applications of the following individuals, solely in their capacities as Duquesne University students enrolled in the undergraduate class *Investigative Reporting* (JOUR 471/571) at Duquesne University during the Spring 2025 semester (the “DU Class”), for exemption from the fees imposed by the Electronic Public Access fee schedule adopted by the Judicial Conference of the United States Courts: (a) Ember Duke (ECF No. 165); (b) Antonio Epps (ECF No. 166); (c) Isabella Fahey (ECF No.167); (d) Emily Fritz (ECF No. 168); (e) Aubrey Halbach (ECF No. 169); (f) Kaitlyn Hughes (ECF No. 170); (g) Penelope Lee (ECF No. 171); (h) Charlotte Shields-Rossi (ECF No. 172); and (i) Katherine Williams (ECF No. 173) (the “DU Students”).

This Court finds that each of the DU Students is an individual researcher associated with an educational institution and, therefore, falls within the class of users listed in the fee schedule as being eligible for a fee exemption. Additionally, each of the DU Students has demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to information.

Accordingly, each of the DU Students shall be exempt from the payment of fees for access via the Public Access to Court Electronic Records system (the “PACER System”) to the electronic case files maintained by this Court, but only to the extent such use is incurred in the course of the scholarly research project for the DU Class that is described in the each of the Applications for Exemption from the Judicial Conference’s Electronic Public Access Fees in the United States District Court for the Western District of Pennsylvania (the “Applications”) (ECF Nos. 165-173). The Court finds that the research project for the DU Class that is described in the Applications is intended solely for scholarly research and is limited in scope in that the amount of exempt access requested is narrowly tailored to meet the project’s needs.

Each of the DU Students shall not be exempt from the payment of fees incurred in connection with other uses of the PACER System in this Court and is responsible for taking any and all necessary steps to ensure that payment is made for any use of the PACER System that is unrelated to the scholarly research project for the DU Class that is described in the Applications. This exemption only applies to the payment of fees for access via the PACER System to the electronic case files maintained by The United States District Court for the Western District of Pennsylvania and does not apply to the payment of fees for access to the electronic case files for any other court selected by any DU Student in the Applications. Additionally, the following limitations apply:

- 1) This fee exemption applies only to each DU Student and is valid only for the scholarly research project described in the Applications;

- 2) This fee exemption applies only to the electronic case files of this Court that are available through the PACER System;
- 3) By accepting this exemption, each DU Student agrees not to sell for profit any data obtained as a result of receiving this exemption;
- 4) Each DU Student is prohibited from transferring any data obtained as a result of receiving this exemption, including redistribution via Internet based databases. This prohibition does not prevent any DU Student from relying upon the data obtained as a result of receiving this exemption in or in connection with any report, paper, presentation, or other deliverable associated with the scholarly research project for the DU Class that is described in the Applications;
- 5) This exemption is valid until June 1, 2025.

This exemption may be revoked from any or all DU Students at the discretion of the Court at any time. The Clerk of Court of the United States District Court for the Western District of Pennsylvania, or her designee, may periodically review activity in the exempt PACER System account(s) of any DU Student during the term of this exemption.

Dated: February 3, 2025

BY THE COURT:

/s/ Mark R. Hornak

Mark R. Hornak

Chief United States District Judge

cc: DU Students *(via email)*